

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

Motion GRANTED.

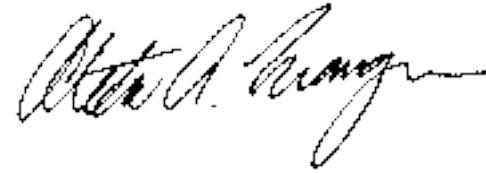
UNITED STATES OF AMERICA

v.

ARTURO CABANAS-REYES

)
)
)
)
)

No. 3:13-00129
JUDGE TRAUGER



MOTION TO CONTINUE TRIAL

NOW COMES the defendant, Arturo Cabanas-Reyes, who, through undersigned counsel, respectfully requests that this Honorable Court enter an order granting his motion for a continuance of the trial scheduled for October 1, 2013. The reasons for this motion are set forth as follows:

1. Title 18, United States Code, Section 3161(h)(8)(A) provides, in pertinent part, that any period of delay resulting from a continuance granted on the basis of a court's findings that the ends of justice served by the granting of a continuance outweigh the best interest of the public and the defendant in a speedy trial shall be excluded in computing the time within which the trial must commence.

2. The factors which a judge shall consider in determining whether to grant a continuance are found in subsection 3161(h)(8)(B). One such factor is whether denial of a continuance would deny counsel for the defendant "the reasonable time necessary for effective preparation, taking into account the exercise of due diligence." Section 3161(h)(8) (iv).

3. The parties are trying to resolve this case without the necessity of a trial. However, additional discussions are necessary.

4. Counsel for Mr. Cabanaz-Reyes has conferred with Assistant United States Attorney Van Vincent and he has granted counsel the liberty of advising the Court that the government has no opposition to this request.